



UNITED STATES OF AMERICA

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8389

UNITED STATES OF AMERICA)	Magistrate Case No.:
)	
Plaintiff,)	COMPLAINT FOR VIOLATION OF
v.)	
)	
Abundio FLORES Naranjo)	Title 8, U.S.C., Sec., 1326
)	
Defendant.)	Attempted Entry After Being
)	Ordered Deported/Removed

The undersigned complainant, being duly sworn, states:

On May 7, 2008, within the Southern District of California, the defendant Abundio FLORES Naranjo, an alien, who previously had been excluded, deported and removed from the United States to Mexico, attempted to enter the United States with the purpose, i.e., conscious desire, to enter the United States at the Calexico Port of Entry without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts which is incorporated herein by reference.

Gustavo Barreto

Gustavo Barreto, CBP
Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS DATE 8TH DAY OF MAY, 2008.

Anthony J. Battaglia

ANTHONY J. BATTAGLIA
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Abundio FLORES Naranjo

4 STATEMENT OF FACTS

5 The complainant, states that this complaint is based upon
6 the arrest reports of the apprehending officers and the
7 investigation report submitted by Customs Border Protection
8 Enforcement Officer Gustavo Barreto.

9 On May 7, 2008, at approximately 9:30 A.M., the defendant
10 Abundio FLORES-Naranjo arrived at the Calexico Port of Entry via
11 pedestrian primary lanes. Customs Border Protection Officer
12 (CBPO) J. Tubbs inspected the defendant at the time he applied
13 for entry into the United States. The defendant presented a
14 valid I-551 card. CBPO J. Tubbs suspected the defendant was an
15 imposter and thus referred the defendant to pedestrian secondary
16 office for further inspection.

17 Abundio FLORES-Naranjo was escorted to the Port Enforcement
18 Team office for further investigation. At the Port Enforcement
19 Team CBPOE Figueroa conducted record checks revealing prior
20 deportation from an immigration judge. Records also revealed
21 prior incarceration. Records confirmed that FLORES-Naranjo is an
22 alien, a native and citizen of Mexico with no legal documents to
23 enter into or be in the United States. FLORES-Naranjo was advised
24 of his Miranda warnings in the Spanish language to which he said
25 he understood and would answer questions without an attorney
26 present.

27 Abundio FLORES-Naranjo stated that he is a citizen and
28 native of Mexico with no legal entry documents to enter, reside,
or pass through the United States. FLORES-Naranjo stated that he
had not applied for or obtained the authorization of the Attorney
General of the United States or the Secretary of the Department
of Homeland Security to reapply for admission to enter the United
States. Abundio FLORES-Naranjo admitted to being previously
deported by an Immigration Judge. Aundio FLORES-Naranjo stated
that he wanted to go to Santa Ana to see his children.